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 BURBANK POLICE DEPARTMENT,
 BURBANK POLICE OFFICERS ADAM
 BAUMGARTEN AND MICHAEL EDWARDS

UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

PRESTON SMITH, an individual;

Plaintiff,

v.

CITY OF BURBANK, BURBANK
 POLICE DEPARTMENT, BURBANK
 POLICE DEPARTMENT OFFICER
 GUNN; BURBANK POLICE
 DEPARTMENT OFFICER
 BAUMGARTEN; BURBANK
 POLICE DEPARTMENT OFFICER
 EDWARDS; AND DOES 1
 THROUGH 100, INCLUSIVE

Defendant.

Case No.

CV10-8840 VBF
 AGRx)

**CERTIFICATE OF NOTICE OF
 REMOVAL**

I, LUSINE ARUTYUNYAN, certify and declare as follows:


1. I am over the age of 18 years and not a party to this action.

1 2. My business address is 275 East Olive Avenue, Burbank, California
2 91510, which is located in the city, county, and state where the mailing described
3 below took place.

4 3. On November 17, 2010, I caused to be served by mail on Manuel H.
5 Miller/Max A. Sauler, Law Offices of Manuel H. Miller, 20750 Ventura Blvd.,
6 Suite 440, Woodland Hills, CA 91364, and to Dennis M. Gonzales, Lawrence
7 Beach Allen & Choi, PC, 100 West Broadway, Suite 1200, Glendale, CA 91210-
8 1219, a copy of the following:

- 9 a. Civil Cover Sheet;
10 b. Notice of Removal;
11 c. Declaration of Carol Ann Humiston in Support of Notice of
12 Removal;
13 d. Notice of Notice to Plaintiff and State Court of Removal of
14 Action with Exhibit "A," a conformed copy of the Notice to Plaintiff and State
15 Court of Removal of Action;
16 e. Notice of Interested Parties.

17 I declare under penalty of perjury under the laws of the United States of
18 America that the foregoing is true and correct. This declaration was executed on
19 November 17, 2010 at Burbank, California.

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21 LUSINE ARUTYUNYAN
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PROOF OF SERVICE

F.R.C.P. 5 / C.C.P. 1013a(3) Rules of Court, Rule 2060

I am a resident of, or employed in the County of Los Angeles, State of California. I am over the age of 18 years old and not a party to the within action. My business address is 275 E. Olive Avenue, Burbank, California 91502.

On November 17, 2010, I served the following listed document(s), **Certificate of Notice of Removal** by method indicated below, on the party in this action:

Manuel H. Miller
Max. A. Sauler
Law Offices of Manuel H. Miller, APC
20750 Ventura Blvd., Suite 440
Woodland Hills, CA 91364

Dennis M. Gonzales
Lawrence Beach Allen & Choi, PC
100 West Broadway, Suite 1200
Glendale, California 91210-1219

☒ **BY U.S. MAIL**

By placing ☐ the original / ☒ a true copy thereof enclosed in a sealed envelope(s), with postage prepaid, addressed as per the attached service list, for collection and mailings at the City of Burbank in Burbank, California following ordinary business practices. I am readily familiar with the firm's practice for collection and processing of the document for mailing. Under that practice, the document is deposited with the United States Postal Service on the same day in the ordinary course of business. I am aware that upon motion of any party served, service is presumed invalid if the postal cancellation date or postage meter date on the envelope is more than one day after date of deposit for mailing contained in this affidavit.

☐ **BY ELECTRONIC SERVICE
(via electronic filing service provider)**

By electronically transmitting the document(s) listed above to LexisNexis File and Serve, an electronic filing service provider, at www.fileandserve.lexisnexis.com pursuant to the Court's Order mandating electronic service. See Cal R.Ct.R. 2053, 2055, 2060. The transmission was reported as complete and without error.

☐ **BY OVERNIGHT DELIVERY**

By delivering the document(s) listed above in a sealed envelope designated by the express service carrier, with delivery fees paid or provided for, addressed as per the above service list, to a facility regularly maintained by the express service carrier or to an authorized courier or driver authorized by the express service carrier to receive documents.

☐ **BY ELECTRONIC SERVICE
(to individual person)**

By electronically transmitting the document(s) listed above to the email address(es) of the person(s) set forth on the attached service list. The transmission was reported as complete and without error. See Rules of Court, rule 2060.

☐ **BY PERSONAL SERVICE**

☐ By personally delivering the document(s) listed above to the offices at the addressee(s) as shown on the attached service list.
☐ By placing the document(s) listed above in a sealed envelope(s) and instructing a registered process server to personally deliver the envelope(s) to the offices at the address(es) set forth on the attached service list. The signed proof of service by the registered process server is attached.

☐ **BY FACSIMILE**

By transmitting the document(s) listed above from City of Burbank-City Attorney's Office in Burbank, California to the facsimile machine telephone number(s) set forth on the attached service list. Service by facsimile transmission was made pursuant to agreement of the parties, confirmed in writing.

☐ **STATE**

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

☒ **FEDERAL**

I declare under penalty of perjury under the laws of the United States that I am employed in the office of a member of the bar of this court at whose direction the service is made.

Executed November 17, 2010, at BURBANK, CALIFORNIA.

Lusine Arutyunyan
Type or Print Name


Signature